

THE
DIRECTORY &
CHRONICLE.
For CHINA, JAPAN, Etc.
1917 Fifth Annual Issue.
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HONGKONG DAILY PRESS, LTD.

Hongkong Daily Press.

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Blow Lamps, Joyce Fluid,
Star Fire Extinguishers,
"Duroco" Paint, Etc.
ALEX. ROSS & Co.,
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HONGKONG.

No. 18,478 號三十七百四千八萬一第 日四十月六年巳丁 HONGKONG, WEDNESDAY, AUGUST 1st, 1917 三拜禮 號一月八年六國民華中 PRICE: \$3 PER MONTH.

INTIMATIONS

GREEN ISLAND CEMENT COMPANY
PORTLAND CEMENT.
In Casks 275 lbs. net.
In Bags 500 lbs. net.
SHEWAN, TOMES & Co.,
General Managers. 784

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Developing, Printing and Enlarging.
Canton Marbles in Various Shades.
Telephone 1219. [535]

PEAK TRAMWAY COMPANY LIMITED.

TIME-TABLE

WEEK DAYS.	
7.00 a.m.	to 8.00 a.m. Every 15 minutes.
8.00 "	" " 10.00 " " " " " " 10 "
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NIGHT CARS.	
5.50 p.m.	and 8.00 p.m. 9.30 to 11.00 p.m.
Every Half-Hour.	
11.00 p.m.	to 11.45 p.m. Every Quarter-Hour.
SATURDAY.	
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INTIMATIONS

WE WILL DELIVER A

"MOUTRIE" PIANO

for \$50

You pay the balance in small monthly instalments that will not embarrass you.

EVERY INSTRUMENT GUARANTEED FOR 5 YEARS.

FULL PRICE ALLOWED FOR PIANOS TAKEN IN EXCHANGE.

S. Moutrie & Co., Ltd.

[26-3]



WASHABLE

SPORTS

COATS

Made of Cotton Crash or Poplinette, light in weight, easy fitting and smart in appearance.

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MACKINTOSH

& CO., LTD.

Men's Wear Specialists,

16, DES VUEX ROAD.

TELEPHONE 29.

[13]

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DANIEL CRAWFORD'S
RED STAR
WHISKY
and you can't go wrong!

DONNELLY & WHYTE,
SOLE AGENTS.

[35]

By Appointment to H.M. THE KING.

FIRE ENGINE MAKERS.

MERRYWEATHERS'

Best Quality

CANVAS HOSE PIPES

Two Brands of World-wide Repute:

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HONGKONG TENNIS TOURNAMENT.

DRAWINGS FOR THE MEN'S HANDICAP DOUBLES.

Fifteen pairs have entered for the Men's Handicap Doubles of the Hongkong C.C., and the drawing has resulted as follows:—

Asst. Paymaster Wright, R.N., and Asst. Paymaster Robinson, R.N., v. A. A. Claxton and E. E. Joseland. F. W. Cary and J. F. de Rome v. S. E. Green and P. H. Cobb. P. P. J. Wodehouse and C. Thorne v. H. Murray Bain and U. C. Galuzzi. H. E. Muriel and A. Morse v. F. Bevington and H. J. Verney. Basil Raworth and J. H. Congdon v. C. C. Stark and W. P. C. Trafford. R. Handley Pegg and R. M. Henderson v. E. Abraham and J. Stalker. H. E. Murray and M. M. Maas v. M. Douet de Jounet and M. Wolfers.

G. B. Layton and A. C. Leith have a bye in the opening round.

The handicaps have not yet been decided upon.

The competition is being run on somewhat novel lines. Each stroke won is to count one point, and the first pair to secure 96 points win the match. Should both pairs secure 96 points all two points must be won in succession. The service is to change from one pair to the other after every eight points won. The sides are to be changed after every 16 points won.

The competition is to be played off during the current month.

"SERVICES" ENTERTAINMENT FUND.

The following subscriptions to the above fund have been received by the Treasurer during the week ending July 31st and are gratefully acknowledged:

Already acknowledged	\$2,181.27
Sir Wm. Rees-Davies	5.00
P. Potts	10.00
A. Howitt	5.00
Eldon Potter	50.00
G. C. Moxon	10.00
H. Hancock	10.00
R. Sutherland	5.00
H. F. Campbell	5.00
A. G. Coppin	5.00
A. Ritchie	5.00
A. J. W. Rosser	5.00
H. A. Nisbet	5.00
F. C. Butcher	5.00
R. E. Selgwick	5.00
C. D. W.	10.00
D. M. Ross	10.00
H. W. Bird	10.00
R. Henderson	5.00
E. Davidson	5.00
W. J. Pringle	5.00
K. M. Cumming	5.00
J. H. Brister	5.00
E. Grant Smith	5.00
T. C. Nixon	5.00
G. S. Archbutt	5.00
Andrew Forbes	5.00
H. B. L. Dowbiggin	5.00
L. N. Leefe	10.00
P. H. Cobb	5.00
F. A. Wells	5.00
D. K. Blair	5.00
A. B. Avasia	15.00
W. M. Humphreys	5.00
	\$2,430.27

Estimated monthly requirement \$ 600.00
Total expenditure for July 633.48

*—Monthly subscription.

\$—Donation.

T. ROBINSON

(General Secretary).

F. G. B. HASTINGS, R.N.

(Naval Secretary).

C. L. COOPER-HUNT, C.F.

(Military Sec. and Treasurer).

ENGLAND'S "LAST HOUR."

The Berlin *Zeitung am Mittag* states that Herr von Heydebrand, the well-known Conservative member of the Reichstag, in a speech to his constituents at Trebnitz said:—

In the West we now see the British, who we believed had made their final effort, again attacking us in new and terrible onslaughts. I believe that this is really their last effort which they are making, and which they must make because their country is crying "You must help us, otherwise hunger will come." The last hour has come. The U-boat warfare is finishing us.

Herr von Heydebrand continued:—The Englishman has a bull-dog nature. Let us recall now Great Britain one and a half years ago appeared on the battlefield with 120,000 men, whereas she has now an Army of some two millions. They fix their teeth in firm like a bull-dog, and then cannot get loose, but I believe that we shall not have to undergo another war winter if by then the U-boat warfare has brought about a decision.

It is announced that the Transcontinental Railway, from Eastern to Western Australia, will be opened early in September.

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"NO. 29."

Finding difficulty in pulling on his wet boots, the Oberleutnant lit a scrap of paper and tossed it into them. It burned slowly, causing a film of steam which acted as a lubricant. As he did so a second pair of boots descended into the dug-out, as their owner clambered down the steps from the trench outside. He had the silver lace of the Feldwebel, or sergeant-major, on his collar, and the red and black State cockade in his cap proclaimed him a Wurtemberg. When he had made report the two left the dugout together and returned to the rain-swept fire trench. The N.C.O. went back to his men: the officer picked his way through the soaking fire dregs to an observation post, where, pausing occasionally to wipe the mist from his periscope, he stood a while gazing steadily across the stretch of No Man's Land. Thoughts chased each other through his mind like the rain drops that drove down between the lines.

Half-way between the German and British trenches stood a house. Once no doubt, it had figured on the Belgian agent's books as "that desirable maisonnette Mon Abri"; but latterly circumstances have caused No Man's Land, in common with other suburban localities, to be somewhat of a residential district, and had reduced the house in question to a mouldering shell of masonry and burst sandbags, briefly described on the trench map as "No. 29." In this condition the marksmen of both parties looked upon it, found it desirable, and strove nightly for its possession. Whichever side reached it first would keep up an all-night sniping from its ruined stonework and crazy casements into the enemy's trenches until the approach of dawn drove them to their lines once more. So attractive was this spot to the evening sentries that you might see chosen men under the parapet, with one eye on the sinking sun and the other on the ruins of "No. 29," waiting for the first moment of twilight to make a dash for their goal. In this way, as the weeks went by, many a valuable life was lost to both sides, and the crop of wooden crosses behind the lines grew and flourished.

As he considered these things, the eyes of the Oberleutnant dwelt thoughtfully on the black silhouette that stood for the grave of so many bold spirits. Out in that debatable borderland it was a constant menace, if only the fellow had the nerve to go forward to build his house behind the German lines instead of in front, what a treasure it might prove to-day! The wish begot a sudden thought: since it was clearly too late now to move back the infernal house, why not fling forward a curve of his front-line trench to include it? A small party of pioneers to-night to lay a semi-circle of sandbags embracing the old ruin, a larger party of diggers to-morrow to follow the leading line—and a new trench would be complete, a barrier between the British snipers and "No. 29" for ever. *Tenfelt* why not?

So that night humpbacked figures crept from the German trenches, busied themselves for the space of an hour in the darkness, and returned. Unfortunately, an hour later, a British patrol decided that it was a fit occasion to examine and report on the condition of the enemy's wire. Out in No Man's Land they stumbled and, fancies over the Germans' handiwork, understanding perfectly the purpose of the trench, they were frustrated. They were cheerfully and unhesitatingly shot by the men of the New Armies, possessed of an unquenchable sense of humour, and there was much whispering and chuckling in the darkness as they laboured.

The next night was wet and stormy. The great flares lobbed up hissing into the sky as the dripping Wurtembergers crawled out cautiously to their digging. With some difficulty they located the line of sandbags defining their task, and bent their backs to the work. Only an occasional subdued grunt or the clink of a pick indicated their activity; now and again a machine-gun thudded off a belt, and the whole party dropped flat for a moment, but on the whole the British trenches were unusually quiet, and the work went bravely forward with few casualties. Consequently there was much Tontonic blasphemy when the first streaks of daylight, as the diggers straightened themselves in their new trench, revealed the outlines of "No. 29" still in front of their incredulous eyes. The harvest of the men who had discovered their intention and the instead of shelling them, out of existence merely shifted the line of sandbags and allowed them to labour all night at a useless task was to them incomprehensible and offensive.

The Oberleutnant raged. Again this odious pile of ruins had cost him valuable lives. *Domruetter*! he would be rid of it once and for all. He would blow it off the earth it was cumbering. He strode to the signal dug-out and conferred long and carefully over the wire with the engineers. That night heavily-laden men vanished into "No. 29" with burdens of explosive, and appear later with harmless-looking wires and electric terminals. Subsequently the field telegraphs hummed and buzzed and clicked up and down the front, neighbouring units were warned of the expected explosion, and in the danger zone the garrison of the fire trench were withdrawn under cover. Punctually at the time appointed "No. 29" was the focus of German attention along the whole corps sector. Men looked expectantly at their watches and waited for the fault had upset their careful calculations; whatever the reason, the demolition was a failure.

The Oberleutnant was the first to get with a crash out of the trench, and, careless of danger, raced in full view over the open towards the sinister ruin. They watched him go, they saw him vanish in the interior—and at that instant some where in the British lines those who had known of this thing from the beginning, and in their own silent way had acted accordingly, gave an order. There was sudden thunderous roar and a clatter—out of a ball of black smoke and a torrent of falling bricks "No. 29" shot skywards and vanished for ever, bearing with it the man who had first schemed for its destruction. J. H. M. S. in the *Manchester Guardian*.

(Continued at foot of next column.)

MOTOR HOSPITAL SHIPS ON THE TIGRIS

THE KING AND NOVEL CRAFT.

The King recently inspected one of the fleet of motor hospital ships now on service on the Tigris, and it was visited last month by a party of medical men specially interested in the care of the sick and wounded of his Majesty's Forces.

The ship, owing to its novel shape, presented a curious contrast with the craft of all kinds among which it lay in a port on the east coast. Its length is no more than 160ft., its beam about 30ft., and so slight is the depth of the hull that the deck, with which it is fitted, seemed to rise sheer out of the water to a great height. The principal factor in the design is the light draught of the vessel which, in that port, was only 2ft., and it is so constructed that when it is engaged on its work of carrying wounded and sick men from the upper reaches of the Tigris to the main base at Basra, its draught will not exceed an additional foot. The vessel is painted white. Flashes with the Red Cross fly fore and aft, and the Red Cross is painted on its sides and on the funnel, and high over the sun deck rises the same symbol of mercy and compassion for illumination at night.

One of the most distressing disclosures in regard to the early stages of the campaign in Mesopotamia was the inadequacy of the arrangements for attending to the sick and wounded. For one thing, the sick and wounded were brought down the river to the base in ordinary cargo boats, lying on the decks closely packed together. Remembering that deplorable state of things, the visitors were all the more impressed by the wonderful ingenuity and loving care that has been exercised in the designing of this new river hospital ship so as to provide every medical attention and comfort for the sick and wounded.

DECKS LABORATELY FITTED.

The main and upper decks form two hospital wards which can be used for either British or Indian troops. The maindeck ward is fitted with tiers of hospital cots, some of them being specially wide and long for the treatment of serious gunshot fractures, and in the disposition of the cots great care has been taken to give free access to each, so as to facilitate the handling, dressing, and nursing of the cases. In order to ensure light and free ventilation, with warmth in winter and coolness in the summer, the sides of these lower wards are enclosed with leak framing, having upper panels of splinter-proof glass arranged in the cottage window fashion, and so contrived as to act as wind-catchers in the summer heat, and to exclude cold and rain in winter. The flying or upper deck, intended for convalescents, is provided with a promenade and seats.

The speed of the vessel is about 10 miles an hour, and as the journey to the base may take from four to eight days, everything needed in a hospital and dispensary is to be found on board. At the fore end of the upper ward there is a spacious operating theatre with an adjoining preparation room equipped with all the necessary fittings for sterilization of surgical equipment and dressings. The accommodation for the medical, nursing, and navigating staffs is separate, and in cabins or compartments, according to rank and duties. Separate cooking arrangements, galleys, and pantries are provided for British patients, and for each of the different castes of Indians. The vessel is equipped with refrigeration plant for supplying ice, and with an aerating four-bottle soda-water machine for making three gross of soda water, lemonade, or ginger beer per day.

In brief, the vessel is a combination of hospital ship and pleasure boat. It was built for the Inland Waterways and Docks Department of the War Office.

KAISER'S FULLCONTENTMENT ADDRESS TO PRINCE EITEL'S TROOPS.

According to a Berlin telegram, the German newspapers announce that the Kaiser, during his last visit to the Western front, addressed the troops commanded by his son Prince Eitel Friedrich of Prussia, and said:—

The enemy's intention was, after a long preparation, to break the German wall and to bring about a decision this spring. His hopes have disappeared and collapsed in face of the bravery of the opposing German tribes. My Guards also in this fighting covered themselves with glory. The Guards in both theatres of war have always stood where the battle waged most fiercely.

Therefore I hasten hither in order to express my full recognition and Imperial thanks to this corps, and at the same time the thanks of the Fatherland, for the many years we worked in the training camps in order to develop ourselves militarily. It was given to this brigade to make the most of its training in heavy and glorious fighting and to learn new things. Now it has succeeded in reaping the fruits of long labour. The troops of the 3rd Infantry Division which is gathered here during the past heavy days also fought to my full contentment. We shall unshakably cling to one the thought with which all of us are imbued—to break the enemy's will to war.

open towards the sinister ruin. They watched him go, they saw him vanish in the interior—and at that instant some where in the British lines those who had known of this thing from the beginning, and in their own silent way had acted accordingly, gave an order. There was sudden thunderous roar and a clatter—out of a ball of black smoke and a torrent of falling bricks "No. 29" shot skywards and vanished for ever, bearing with it the man who had first schemed for its destruction. J. H. M. S. in the *Manchester Guardian*.

UNHAPPY HEROES. MEDAL PARADE.

Every now and then there appears a brief announcement in the orders of the day under the heading "Presentation." Next morning when the troops fall in for the second parade, the regimental sergeant-major takes charge for a few minutes and reasons with the companies till they have struggled into the formation known as the hollow square. There they stand, all facing inwards upon the big, empty space—waiting.

At the same time, if your eyes are sharp enough and you know where to look, you may perceive that two or three entirely undistinguished privates are very unhappy. Watching their uneasy glances and little nervous movements, you might conclude that they desired above all things to be allowed to depart hastily to a great distance. Probably it would not occur to you that they were heroes.

Presently there comes a little group of officers advancing across the parade ground, and, acting upon the thunderous advice of the sergeant-major, the parade stands stiffly to attention. They enter, and stand in the centre of the hollow square. There is the grey-haired commandant of the camp, there is the adjutant holding a number of little boxes, and there is another officer with sheets of paper in his hand. Those unhappy privates are propelled inwards from their respective places in the ranks. They are made to stand together, very painfully conspicuous, with about two thousand pairs of eyes fixed upon them.

The officer with the paper begins to read. There are no beautiful polished sentences in the paper which he holds. It is all very curt and businesslike, but the words have a magic.

It is not England any more. All our wide, peaceful camp with the brown huts under the trees has vanished. Instead of this pleasant quietness there is the foul desolation of No Man's Land, and the little distant singing of the girls is blasted out of hearing by the shattering roar of shell and bomb and mine. For this is the kind of thing he reads:—

In April, 1916, for conspicuous gallantry while working in front. He created wire to cover his party; when two of his comrades were wounded he carried them back to safety, then returned and took charge of the party and completed the work.

At the end of the reading the particular soldier concerned is commanded by some urgent whispering sergeant to advance towards the group of officers. There is the salute, given and returned, and from the hand of the commandant the hero receives the bit of metal and the ribbon which are to be his tokens for ever. There is the handshake and again the salute, and the loud, unemotional voice is proclaiming another of those terse records of the deeds of the knights of our time, and another of the little waiting company is painfully conscious that it is his turn to advance into the solitude of the square.

I was watching them this morning, half a dozen of them, as they received their medals. I had not realised that they were heroes. They were so like all the rest, people to be "strafed" if when they came on parade their buttons were dull or their chins stubbly. And at that hour of their exaltation they were so very unhappy.

But that is the way of the British soldier. Being a hero is all very well. Also it is just a part of the day's work, and it does not matter, and it is nothing to make a fuss about. H. L.

HONGKONG POLICE RESERVE.

PARADES.

Wednesday, August 1st.—As previously ordered, the Band will play at North Point on Wednesday, August 1st, at 9 p.m. Uniform—White, caps with covers will be worn.

Thursday, August 2nd.—No. 3 Company, Central, 5.45 p.m. Uniform—White, helmets.

Friday, August 3rd.—Route March ordered for this date is cancelled.

COMMAND.

Owing to the illness of Mr. J. W. Franks, Acting D.S.P. (R.) the command of the Police Reserve will temporarily be taken over by the undersigned.

By order of the Hon. The Captain Superintendent of Police.

(Sd.) T. F. HUGHES, A.S.P. (R.).

31st July, 1917.

DISGUISED ENEMY SHIPS.

NEW PROCEDURE FOR BOARDING INSPECTOR.

An Admiralty Notice to Mariners published in the *Gazette* states that in view of the danger of H.M. ships closing vessels, apparently neutral, British, or Allied traders, but which are in reality German raiding cruisers, it is necessary to adopt a special boarding procedure as a measure of precaution. This procedure has been notified to all neutral and Allied Powers.

When it is desired to put into force the special boarding procedure it will be as follows:—

A red pendant of a specially large size will be hoisted by the man-of-war exercising the right of visit and search. The hoisting of this pendant will be accompanied by the firing of a rocket. This will signify that the merchant ship is to close the boat lowered by the man-of-war, whether the man-of-war remains in the vicinity of the boat or not.

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792

INTERESTING JUDGMENT. CLAIM FOR PASSAGE MONEY FROM THE N. D. L.

The judgments of the Chief Justice (Sir William Rees Davies) and of the Puisne Judge (Mr. H. E. J. Gompertz) have been given in the action in which Mr. C. Beswick claimed the return of passage money from Messrs. Lowe, Bingham & Matthews, as liquidators of the Norddeutscher Lloyd.

The claim, which was heard in Chambers, was for \$339.18, damages for breach of contract to supply plaintiff's wife with a first class passage from London to Hongkong, being as to \$732.90, amount paid by the plaintiff to the P. & O. Company on the 8th September, 1914, and as to the balance, of interest on the said sum from 8th September, 1914, to 30th June, 1916.

Mr. E. Davidson (of Messrs. Hastings & Hastings) appeared in behalf of the defendants, and Mr. C. D. Wilkinson represented the plaintiff.

The case came into open court for one day, and Mr. Davidson then argued that the contract between plaintiff and defendant was rendered illegal and null and void by the outbreak of war.

THE CHIEF JUSTICE.

The judgment of the Chief Justice was as follows:—

These are certain issues of law, which the parties agreed should be first heard and decided, in an action brought against the liquidators of an alien enemy Company claiming damages for breach of contract.

The facts were fully set out in a judgment given by me on a summons by the defendants for a stay of proceedings so as to permit the Arbitration Clause, which was alleged to govern the contracts, to operate within the jurisdiction of the Court at Bremen. I dismissed that summons; but the issue which we are now called upon to decide was not raised or referred to in the argument on that summons.

The question firstly before us is, was the alleged contract to supply the plaintiff with a passage ticket from London to Hongkong dissolved upon the outbreak of war?

If aye, the action must fail; and the other issues do not arise. I will shortly examine the recent authorities on the point:—

In *Kreglinger v. Cohen*, 31 T.L.R. 562 (July 1916), the plaintiffs, who were Belgians carrying on business in Antwerp and London, made with the defendants, who were Germans trading in Hamburg, and before the war in London also, certain contracts for the purchase of hides. After the outbreak of war the defendants repudiated the contracts. In an action by the plaintiffs for damages it was held that as the plaintiffs were subjects of a State allied with this country the contracts, having been made with a person who was a subject of a State now at war with this country, became illegal on the outbreak of war, and after that date there could be no breach of them, and, therefore, the plaintiffs were not entitled to recover.

In that case *W. Wolf & Sons v. Carr, Parker & Co.*, 31 T.L.R. 407, was followed:—

The plaintiffs, who were a German firm with a branch business in England, brought an action, after the outbreak of war, upon contracts entered into by the English branch before the war. It was held by the Court of Appeal that on the outbreak of war the contracts became illegal.

In the *Panarellos*, 31 T.L.R. 328, the President, Sir Samuel Evans, said:—

"When war breaks out between States, all commercial intercourse between citizens of the belligerents *ipso facto* becomes illegal, except so far as it may be expressly allowed or licensed by the Head of the State. Where the intercourse is of a commercial nature, it is usually denominated 'trading with the enemy.' This proposition is true also, I think, in all essentials with regard to intercourse which cannot fitly be described as commercial."

See also *Robson v. Premier Oil Co., Ltd.*, 1915, 2 Ch. 124, and *Exposito v. Bowden*, 7 E.B. 761.

In *Janson v. Driefontein Consolidated Mines*, 1909, A.C. Lord Lindley said, "War produces a state of things giving rise to well-known special rules. It prohibits all trading with the enemy except with the Royal licence, and dissolves all contracts which involve such trading."

In *Arnhold, Karberg v. Byrth*, 1915, 2 K.B. 579, it was held that buyers were entitled to reject goods, the shipping

documents in relation to which had become void and unenforceable as regards any obligations of performance after the outbreak of war; and to carry out their original obligations would involve entering into contractual relations with the King's enemies.

After citing the language of Lord Lindley, which I have set out in *Janson's* case, Scrutton J. said (p. 360):—"Where, however, a claim has accrued before the war under a contract made before the war, as in case of a loss before the war on a policy of insurance, the contract is not dissolved, but the remedy is suspended till the close of the war. This explains Lord Halsbury's apparently general statement at p. 483 of *Janson v. Driefontein Consolidated Mines* that:—'No contract or other transaction with a native of the country which afterwards goes to war is affected by the war. The remedy is indeed suspended: an alien enemy cannot sue in the Courts of either country while the war lasts; but the rights on the contract are unaffected, and when the war is over the remedy in the Courts of either is restored.' This is true of a right to recover vested before the war, which was the state of things in the *Driefontein* case, but was not true on the existing authorities, which Lord Halsbury cannot have meant to overrule without reference to them, in the case of contracts to be executed at the time of the outbreak of war."

In *Halsey v. Esdaile*, 1916, 2 K.B. 707 (1916), it was decided that the liability of an alien enemy lessee for rent accruing due after the outbreak of war under a lease granted before the war is not thereby extinguished or released.

The principles laid down in this case were strongly relied upon by Mr. Wilkinson in support of his argument.

Lord Reading, C.J., said, p. 713:—"The prohibition of intercourse between persons in this country and alien enemies is based on public policy, and it would indeed be a strange result if a law so founded was held to apply to relieve an alien enemy of obligations incurred before the war in respect of property of which he is not deprived by the Crown."

Warrington, L.J., specifically discriminates between cases where the proclamation against trading with the enemy arises. He says:—

"The following general propositions are, I think, clearly established: (1). By the common law of England on the outbreak of war between Great Britain and another nation it becomes unlawful for a British subject to engage in any intercourse with an enemy, whether of a commercial nature or otherwise, unless it be with the permission, express or implied, of the executive authority. (2). It follows that any intercourse on the part of a subject of Great Britain with an enemy, incidental to the performance by either party of contractual obligations is unlawful."

After referring to certain authorities the learned Lord Justice proceeds:—

"It follows that, if a contract at the outbreak of war remains to be performed by both parties, it would be unlawful for that one of them who is a British subject to perform his part. The contract would be an illegal contract and both parties would be discharged. I think, moreover, that though the substantive obligation to be performed is that of the enemy only, yet if its performance necessitates the concurrence of the other party, the promisee, and that involves unlawful intercourse with the alien, the latter would be discharged from its obligation. This is really only an example of the general rule, for the concurrence of the promisee would be afforded in pursuance of a duty arising from the contractual relation. . . . The only substantive obligations as between parties to the present action remaining to be performed were those to be performed by the defendant. Of these the only one with which we are concerned is the covenant for payment of the rent. The next question is, did the performance of this obligation by the defendant require the concurrence of the plaintiffs and, if so, would such concurrence be unlawful? It did require the plaintiffs' concurrence, inasmuch as payment by one party involved receipt by the other. It does not follow, however, that such receipt was unlawful, and I think the proclamation of September 19th, 1914, establishes that it was not, but an act permitted by the executive authority. The proclamation, after warning people against doing certain acts and entering into certain transactions as involving trading with the enemy, contains the following provision:—'Nothing in this

proclamation shall be deemed to prohibit payments by or on account of enemies to persons resident, carrying on business, or being in our dominions, if such payments arise out of transactions entered into before the outbreak of war or otherwise permitted.' In terms the clause purports to allow payments by or on account of the enemy and says nothing about receipts; but I think it must be construed to authorize—if such authority be necessary—the receipt by a British subject of a payment so made. If this is so, the performance by the defendant of his obligation did not involve any unlawful act on the plaintiffs' part, and I see no reason why the defendant should be treated as released."

Now is there any direct analogy between the case last referred to and the present one? In order for Mrs. Beswick to obtain a return passage it would clearly have involved unlawful intercourse with the aliens after war was declared, which would have discharged the latter from their obligations. As a fact it is not suggested that any attempt was ever made to procure a return ticket. Such an attempt would have been futile, as it would have been clearly impossible for Mrs. Beswick to have travelled on an enemy ship after the declaration of war.

In so far as this action is based on the contract, this is, I think, the answer to it and it disposes of the case.

Mr. Wilkinson, however, submitted in argument certain general principles of law as applicable. He contended that a party cannot avail itself of its own wrong, and, implicitly, that every individual enemy subject being responsible for the existence of war, they (the defendants) have disabled themselves for carrying out their contract and are responsible to the plaintiff therefor.

In support of his contention he relied on the language of the Court of Appeal in *Porter v. Freudenberg*, 1916, 1, K.B. 857, and other recent cases, which establish the position that the suspension of a legal right upon the outbreak of war cannot apply to the detriment of a British subject and for the benefit of an alien enemy.

I examined these cases carefully in the judgment which I gave on the former summons, and I think it is only necessary to say that I can discover nothing in them which overrides the well-established law that on the outbreak of war contracts with an alien enemy become illegal.

In *Robinson & Co. v. Continental Insurance Company*, 1915, 1, K.B. 155, the Court held that there was no rule which suspends an action against an alien enemy, nor any rule which prevents him appearing and conducting his defence. The learned Judge stated that he knew nothing of the merits, and that if any application was made to postpone the case on sufficient ground it would be dealt with on its merits.

And, again, the judgment in *Porter v. Freudenberg*, 1916, 1, K.B. 857, is also directed to the relative position of an alien enemy when plaintiff and defendant are in our Courts, and it lays down as an authoritative judgment of the Court of Appeal that an alien enemy can be sued and defend in our Courts. The question of the rights of the parties in contract, or otherwise, did not arise.

In my opinion the action for damages on the contract fails and must be dismissed.

On the alternative claim for money paid for a consideration which has failed, and on which payment into Court is pleaded, the Court is not on this issue concerned with.

THE PUISNE JUDGE.

The Puisne Judge's finding was as follows:—

This is a claim against the liquidator of the Norddeutscher Lloyd Steamship Company for damages for an alleged breach of contract by the Company.

The facts of the case, which have been fully stated in a previous judgment by the Chief Justice, may be briefly summarized as follows:—

The plaintiff had before the war paid the Company in Hongkong for a passage by one of the Company's steamers to England, and thence, in due course, back to Hongkong, for his wife.

The plaintiff's wife duly proceeded to England in a steamer of the Company, and while there, and before she had applied to the Company to be allotted a berth for the return voyage, war broke out between England and Germany.

She did not, therefore, apply to the Company for a return passage, and the Company have not in fact despatched

passenger vessels from Europe to Hongkong since the outbreak of war.

The case now comes before us by agreement for the decision of certain issues of law.

The first of these is whether the contract between the parties was dissolved on the outbreak of war.

The question has been fully dealt with in the judgment of the learned Chief Justice, which I have read, and with which I entirely agree.

As, however, this case has been taken as a test case, I have decided to deal shortly with some of its aspects.

There is ample authority for the proposition that, by the Common Law, a contract with an alien which remains purely executory is dissolved by the outbreak of war between this country and that of the alien. (See the cases of *Exposito v. Bowden*, 7 E. and B. 763, *Reid v. Hoskyns*, 6 E. and B. 953, and also *Chitty's Contracts*, 16th Edition, page 164, and *Leake's Contracts*, 5th Edition, page 498.)

Again, when the contract is construed by the law of this country, an impossibility caused by foreign law or the act of a foreign State does not discharge the contract. *Jacob v. Credit Lyonnais*, 12 Q.B.D. 580, *Bligh v. Page*, 3 B. and P. 295; *Barker v. Hodgson*, 3 M. and S. 237.

In the last case Lord Ellenborough, C.J., said at page 270:—"If indeed the performance of this covenant had been rendered unlawful by the Government of this country, the contract would have been dissolved on both sides, and this defendant, inasmuch as he had been thus compelled to abandon his contract, would have been excused for the non-performance of it, and not liable to damages."

"But if, in consequence of events which happen at a foreign port the freighter is prevented from furnishing a loading there, which he has contracted to furnish, the contract is neither dissolved, nor is he excused for not performing it, but must answer in damages."

In the present case the plaintiff had discharged his side of the contract in so far as he had paid the passage money. The consideration on his part was an executed consideration. But it still remained for the plaintiff's wife to apply to the Company for a passage, and to be ready and willing to accept it if the defendants offered her one.

This it is quite clear she was unable to do while the war lasted.

The matter is put very clearly by Warrington, L.J., in *Halsey v. Lowenfeld*, 1916, 2, K.B. 707, at page 716:—"It follows that if a contract at the outbreak of war remains to be performed by both parties, it would be unlawful for that one of them who is a British subject to perform his part. The contract would be an illegal contract and both parties would be discharged. I think, moreover, that though the substantive obligation to be performed is that of the enemy only, yet if its performance necessitates the concurrence of the other party, the promisee, and that involves unlawful intercourse with the alien, the latter would be discharged from his obligation. This is really only an example of the general rule, for the concurrence of the promisee would be afforded in pursuance of a duty arising from the contractual relation."

This passage, which the Chief Justice has also cited in his judgment, seems to me to conclude the matter.

Mr. Wilkinson never, of course, contended that Mrs. Beswick would have been willing to embark on a German ship during the continuance of the war.

He did not I think, in fact, depart from the position in paragraph 3 of his original statement of claim, although in fact this part of paragraph 3 was amended before this argument. The paragraph I refer to reads as follows:—"By reason of such outbreak of war, it became illegal for the plaintiff or his wife to have further commercial or other transactions with the shipping company."

This statement, to my mind, accurately states the position at the outbreak of war. Again, in the old form of pleading (see *Bullen and Leake's Pleadings*, 3rd Edition, page 125, where is given a count against a carrier for not carrying a passenger who has booked his place) it was necessary to aver that all conditions were fulfilled, and all things happened, and all time elapsed necessary to entitle the plaintiff to be carried.

So here the plaintiff must aver that his wife had applied for a passage, and was ready and willing to accept the passage. But this *ex hypothesi* he cannot do.

The claim for damages therefore fails. Mr. Wilkinson argued that the Company being an enemy subject is identified with its Government and therefore responsible for the outbreak of war and cannot therefore avail itself of its own wrong-doing.

The answer is that there is no authority for this principle. Indeed, *Kreglinger's* case, 31 T.L.R. 562, and *Halsey v. Lowenfeld*, are authorities the other way. Of the case of *Davis v. Sped*, 1, C. and P. 18, cited for the plaintiff it is only necessary to say that it has no application here. As there has been no breach the proper form of action cannot be a claim for damages.

INTIMATIONS

LANE, CRAWFORD & Co.

(ESTABLISHED 1850)

(TELEPHONE 1741)

SOLE AGENTS IN HONGKONG FOR

BURBERRY'S RAINCOATS

FOR GENTLEMEN.

WE HAVE A FULL RANGE OF STYLES IN SEVERAL WEIGHTS

AND ALL SIZES.

FROM 32" TO 44" CHEST.

\$35.00 to \$75.00 Each.

BURBERRY COATS ARE

RAINPROOF YET REMAIN

POROUS AND SELF-VENTILATING

AND ARE THEREFORE PERFECTLY

HYGIENIC.

LANE, CRAWFORD & Co.

A.V.C. FINEST OLD LIQUEUR BRANDY.

GUARANTEED 30 YEARS OLD.

V. D. CLARETS. V. D. SAUTERNES. V. D. BURGUNDIES.

Stocked by HONGKONG HOTEL.

Obtainable at LANE, CRAWFORD & Co.

A. & B. MACKAY'S LIQUEUR WHISKY.

THE ORIGINAL LIQUEUR WHISKY.

PRICE \$24.00 PER CASE DUTY PAID.

Has a fine mild flavour and a refreshing clean taste.

Obtainable at all Local Stores.

and at LANE, CRAWFORD & Co.

[497-3]

Powell & Co. Ltd.

OUR CASH

SALE

Commences on Wednesday, August 1st, for four days only.

The remainder of our Stock of Summer

BLOUSES, SKIRTS, GOWNS, MILLINERY,

will be offered at exceptionally low prices to clear. A few Artificial and Pure Silk Coats in pretty colours

at 25% discount.

GREAT BARGAINS IN CHILDREN'S DEPT.

NEW ADVERTISEMENTS

LOST.

ENVELOPE addressed Register. S.S. "Yen Yung WA," containing provisional Ship's Register. Bowed to under returning name to this Office.
CARMICHAEL & CLARKE.
[893]

TO LET.

"HOMESTEAD," No. 43, PRAX. Unfurnished, immediate possession, for 3 months.
FLATS, "Wild Dell Buildings," Wanchai. HOUSES AND FLATS, Gap Road.
Apply to—
SANG KEE,
Care of COMPASSERS DEPT.,
HONGKONG AND SHANGHAI BANKING CORPORATION.
[894]

NOTICE.

FROM and inclusive of To-day's date we have REMOVED our Offices from Queen's Buildings, Chater Road, to YORK BUILDINGS, Chater Road, next to Messrs. S. Moutrie & Co., Ltd.
SNOWMAN & Co.,
Hongkong, 30th July, 1917. [889]

WANTED.

On the PRAX. from beginning of October, experienced ENGLISH NURSE to take charge of one baby. Wages \$50 a month.
Apply—
Care of "Daily Press" Office. [892]

THE HONGKONG COTTON SPINNING WEAVING AND DYEING COMPANY, LIMITED
(In Liquidation).

NOTICE IS HEREBY GIVEN that an EXTRAORDINARY GENERAL MEETING of the Members of the above-named Company will be held at the Office of Messrs. JARDINE, MATHESON & Co., Ltd., Hongkong, on MONDAY, the 13th day of August, 1917, at Noon.

- AGENDA.
- For the purpose of having in pursuance of Section 188 of Ordinance No. 38 of 1911 of Hongkong an account laid before the Members showing the manner in which the winding up has been conducted and the property of the Company disposed of and of hearing any explanation that may be given by the Liquidator.
 - To propose an Extraordinary Resolution sanctioning a Final return to the Members as follows:—
"That a Final return by the Liquidator of Nine Cents Hongkong Currency per Share to the persons who are Registered as Members of the Company on the 7th day of August, 1917, be and the same hereby is sanctioned."
 - To determine by Extraordinary Resolution in the manner in which the books and accounts of the Company and of the Liquidator thereof shall be disposed of.

The TRANSFER BOOKS of the Company will be CLOSED from TUESDAY, the 7th August, 1917, to TUESDAY, the 21st August, 1917, both days inclusive.
Dated the Second day of July, 1917.
C. BERNARD BROWN,
Liquidator. [890]

HONGKONG TRAMWAY COMPANY, LIMITED
(Incorporated in the United Kingdom).

NOTICE IS HEREBY GIVEN that an INTERIM DIVIDEND at the rate of 9 per cent. for the year ending 31st December 1917, has been declared. The Dividend will be payable on and after WEDNESDAY, the 15th day of August, 1917, to Shareholders on the Register on SATURDAY, the 4th day of August, 1917, and will be paid to Shareholders on the Colonial (Hongkong) Register at exchange of 2/8 per Dollar.
By Order of the Board,
W. E. ROBERTS,
Secretary. [889]

G. R.
NOTICE.

ANY EUROPEAN, Non-Asiatic or Indian desiring to leave the Colony should apply in person at the Colonial Police Station between the hours of 9 a.m. to 1 p.m. and 2 p.m. to 4 p.m. daily.
Applicants will be required to produce Passports or identification papers.
All persons with certain exceptions who remain in the Colony for more than 7 days are required to Register themselves under the REGISTRATION OF PERSONS ORDINANCE 1916.
Forms of Registration giving the particulars required may be obtained at the G.P.O. and at all Police Stations.
The Penalty for non-compliance is a fine not exceeding \$50.
58

ON SALE.

A TABLE OF THE RATES OF EXCHANGE AT BOMBAY
For Demand Drafts on London on the day of or preceding the departure of the English Mails; also Table of the Yearly Approximate Average for 26 years.
PRICE 21 CASH.
On Sale at the Daily Press Office or Local Bookellers.

AUCTIONS

PUBLIC AUCTION.

BY direction of the Government of Hongkong, Messrs. HUGHES & HOUGH have received instructions to sell by Public Auction.

On MONDAY, the 13th day of August, 1917, at 9 a.m., at their Sales Room, 100 House Street, Victoria, Hongkong.

The Following VALUABLE LEASE-HOLD PROPERTY situate at Victoria, Hongkong, viz.:

All THOSE pieces of parcels of ground situate at Victoria aforesaid and known and registered in the Land Office as SECTION "A" OF MARINE LOT NO. 101 and SECTION "B" OF MARINE LOT NO. 101. Together with the manufactory, erections and buildings and buildings thereon known as No. 7, Queen's Road Central, Victoria aforesaid. Term 999 years, created by a Crown Lease dated the 8th day of April, 1884.

Area in respect of Section "A" of Marine Lot No. 101—8441 sq. ft. Proportion of Annual Crown Rent \$24.48.

Area in respect of Section "B" of Marine Lot No. 101—875 sq. ft. Proportion of Annual Crown Rent \$2.75.

For further particulars and conditions of sale apply to—
JOHNSTON, STOKES & MASTER,
Princes Buildings,
100 House Street, Hongkong,
Solicitors for the Liquidator of THE SHANGHAI ASSURANCE CO., LTD.,
or
Messrs. HUGHES & HOUGH,
The Auctioneers.
Hongkong, 30th July, 1917. [818]

PUBLIC AUCTION.

THE Underigned has received instructions from the Liquidator of Messrs. WIRAKA & Co. in pursuance of an order of the Hongkong Government to sell by public auction at 12 o'clock (Noon) on MONDAY, the 27th day of August, 1917, at his Sales Rooms, Duddell Street, Hongkong.

All the pieces of ground situate at Yau-mat, Kowloon, in the Colony of Hongkong, and registered in the Land Office as KOWLOON INLAND LOT NO. 209.

In One Lot.
The property consists of a piece of ground abutting on Battery Street and Fourth Street (near the Ferry) in Kowloon and contains an area of 4,809 square feet.

The Lot is held for the unexpired residue of a term of 75 years created therein by an Indenture of Crown Lease dated the 4th day of May, 1888.

The Annual Crown Rent is \$60.
For further particulars and conditions of sale apply to—
Messrs. HASTINGS & HASTINGS,
Solicitors for the Liquidator,
or to the Underigned,
GEO. P. LAMBERT.
Hongkong, 23rd July, 1917. [893]

HOUSES TO LET.

TO LET.

DEVONIA, No. 9, Peak Road, SIX ROOMED BUNGALOW, with Garden and Tennis Court.
HOUSES in Sharnon, Canton, Nos. 31 and 33.
Apply to—
DAVID SASSOON & Co., Ltd.
[896]

TO LET.

OFFICES at 2, Connaught Road Central.
OFFICES in King's and York Buildings.
A HOUSE, Knutsford Terrace (Kowloon).
HOUSES in Wongneichong Road.
HOUSES in Clifton Gardens, Conduit Road.
HOUSES in Broadwood and Moreton Terraces.
HOUSES on Sharnon, Canton.
Apply to—
THE HONGKONG LAND INVESTMENT AND AGENCY Co., Ltd.
[895]

TO LET.

A FIVE-ROOMED HOUSE, with Tennis Court, in Minden Villas, Kowloon.
A FLAT in Nathan Road, Kowloon.
Apply to—
HUMPHREYS ESTATE & FINANCE Co., Ltd.,
Alexandra Buildings. [898]

TO LET.

NO. 26, BELLIOS TERRACE.
3 and 4-ROOMED FLATS at the Peak ONE GARDEN in Duddell Street.
Apply to—
LINDSEY & DAVIS,
8th Floor, Alexandra Buildings. [890]

WANTED.

A HOUSE or WHOLE FLOOR with about 10 Rooms in a central location. Please apply to—
[Box No. 1,
Care of "Daily Press" Office.
767]

ON SALE.

BOUND VOLUMES of the HONGKONG WEEKLY PRESS, Four to December 1916.
With Index. Price \$7.50.
On Sale at the Hongkong Daily Press Office.
[895]

INTIMATION

WATSON'S PRICKLY HEAT LOTION AND POWDER

are certain cures for Prickly Heat.

Can be used either in conjunction or separately.

They will also be found invaluable for preventing and relieving Sunburn, Freckles and all Skin Irritations.

PRICKLY HEAT LOTION in Bottles at 50c. and \$1.00

PRICKLY HEAT POWDER in Boxes at \$1.00

PREPARED ONLY BY
A. S. WATSON & CO., LTD.,
HONGKONG DISPENSARY.

TELEPHONE 18 [12]

DEATH.

DANENBERG.—At 1, The Albany, on July 30th, to Mr. and Mrs. E. DANENBERG, a son.
[892]

DEATH.

HARRIS.—At the Government Civil Hospital, Hongkong, on 31st July, Alexander B. B. HARRIS, Chinese Maritime Customs (late of Pakhoi). Burial at the Protestant Cemetery, Happy Valley, on same date.
[895]

HONGKONG OFFICE: 40A, DES VOEUX ROAD, C. LONDON OFFICE: 131, FLEET STREET, E.C.

The Daily Press.

HONGKONG, 1st AUGUST, 1917.

THE SITUATION IN RUSSIA

THE hopes raised a month ago by the vigorous Russian offensive, which resulted in the occupation of Galicia and the capture of 35,000 prisoners, have been rudely shaken by more recent events. During the past week the enemy have captured Tarnopol, Stanislaw, and Czernowitz. Had these reverses been due to the fluctuating fortunes of war they would not have occasioned any serious misgivings, but, unfortunately, they are attributable solely to the disloyalty of some of the Russian troops, who were deaf alike to the commands of their officers and the exhortations of their comrades. In some cases, we are told, positions were voluntarily evacuated before the enemy approached, and urgent orders for reinforcements were discussed for hours. For a distance of hundreds of versts long files of robust and shameless deserters were to be seen hastening to the rear, and frequently they included entire units. On their knees the gunners implored the infantry to save the artillery; only to be threatened with destruction by their comrades. The explanation of this lamentable state of affairs is, of course, to be found in German intrigue. The simple Russian soldier is easily duped, and German agents have been quick to take advantage of his ignorance and credulity. Evidently they have convinced him that the war is a legacy

from Tardom and that, as they are animated by the most brotherly sentiments towards him, he is being sacrificed to serve the selfish ends of other nations. Knowing nothing of international politics, he is unable to recall the origin of the war or to discern the hidden motive which prompts these overtures. It would be idle to deny the seriousness of the position thus created. At the same time, it is impossible to form any idea as to how far the evil has spread. In considering the scanty information available, we have to remember, on the one hand, that there is always a tendency to give prominence to the unusual, while, on the other, there is a disposition on the part of Governments to hide their embarrassments from the outside world. The frankness of the Russian *communiqués* encourages the belief that we know the worst. Experts argue that the enemy struck at the point which they knew to be vulnerable because it was held mainly by Petrograd Regiments previously undermined by the machinations of German agents; and this view is supported by the fact that many of the Russian troops—notably the Cossacks and Artillery—have comforted themselves with the utmost gallantry in the most trying circumstances. Even the Germans pay a tribute to the fierceness of some of the Russian onslaughts. They report, for example, that six Russian divisions attacked five times south-west of Dvinsk and engaged in hand-to-hand fighting, withdrawing only after suffering "terrible losses," and, again, that eight Russian divisions attacked south-west of Smorgon, but "only remnants returned." Reference is made, also, to the "bitter struggle" which the KAISER witnessed near Tarnopol. There is reason to believe, therefore, that it may still be possible to save the situation. Vigorous steps to that end are already being taken. The death-penalty has been re-introduced in the army and the execution of traitors is proceeding on a wholesale scale. A few days ago a whole division of the Eleventh Army on the Galician front was blown to pieces by its own artillery as punishment for a base act of treachery. The splendid services, rendered on that occasion by the British armoured cars in covering the retreat suggests that a greater infusion of Allied troops would be of the utmost value in restoring the moral of the Russian Armies. M. KERENSKY, the Premier and Minister for War—who is described as "the Russian Cromwell"—has declared that if appeals to reason, conscience and honour fail, the Government will save the country "by blood and iron." Messages of sympathy and devotion are reaching him from all quarters, and the Soldiers' and Workmen's Delegates' Council and the Peasants' Congress have passed a resolution according the Provisional Government unlimited power to re-establish military discipline and public order. In a manifesto to the nation they point out that yielding to the Germans means the loss both of land and freedom. One gratifying result of the present troubles, therefore, would appear to be the birth of a new spirit of unity. The Government announce that they will not hesitate to take the most drastic steps possible against attempts to introduce anarchy and deprive the nation of the fruits of the revolution. They insist, very properly, that the first capital problem is the application of the nation's strength to the struggle against the foreign foe. Simultaneously they give the assurance that "not a drop of Russian blood will be shed for foreign ends," and, in token of their sincerity, mention that they are summoning a Conference this month to decide the general orientation of the Allies' foreign policy. The Allies will, no doubt, be quite satisfied if the Russians, realising the duplicity of the Germans, will pledge themselves to wage war until they have driven the invader from their territory and the Imperialism of aggression has been destroyed.

The total output of the Kailan Mining Administration's mines for the week ending 14th July, amounted to 70,210 tons and the sales to 59,359 tons.

The Hon. Treasurer of the Alice Memorial and Affiliated Hospitals acknowledges with thanks the following donations to the Funds of the Hospitals:—Ho Chuk Kai, \$100; Yung Tai Ming, \$100; Un Kam Wa, \$100; and Chan Kang U, \$100.

THE SITUATION IN CHINA.

(FROM OUR PEKING CORRESPONDENT.)

THE ACTING PRESIDENT'S ARRIVAL.

PEKING, July 31st.
Feng Kuo-chang, the Acting President, with his bodyguard, is due to arrive at Peking on August 2nd. Peking representatives are meeting him at Tientsin, and great preparations are being made for his arrival here.

RAILWAY TRAFFIC STOPPED BY FLOODS.

Traffic on the Kinhan railway has been stopped owing to the floods. Its resumption is expected in about a week's time.

[BY COURTESY OF THE "CHEUNG NGOI SAN PO."] [12]

FOUR TUCHUNS APPROVE OF A SENATE.

SHANGHAI, July 31st.
The Tsuchuns of Chekiang, Hupeh, Shensi and Shantung have wired to the Government approving of the establishment of a Senate.

A DEMAND FROM CANTON.

Chen Ping-kwan has telegraphed to Tuan Chi-jui, the Premier, stating that Tang Shao-yi has arrived at Canton and demands that the Government restore the old Parliament.

THE QUESTION OF WAR WITH GERMANY.

The Diplomatic Conference will be re-established to discuss the question of declaring war against Germany.

PROBABLE TUCHUN OF KIANGSI.

Tan Tzu-kuei or Lo Yung-hsiang will be appointed Tuchun of Kiangsi.

A KOWLOON "BOY"

SENTENCED TO IMPRISONMENT.

Sentence of two months' imprisonment was passed upon a "boy" by Mr. J. R. Wood, the Magistrate, yesterday. The "boy" was charged with stealing a leather travelling trunk and three blankets, belonging to his employer, Mr. C. McKenzie, 24, Nathan Road, Kowloon. Mr. McKenzie said the defendant had been in his employment for only five days. When witness reached home on the evening of July 20th he was informed that the "boy" had left, and he then found that the bag and blankets had also gone. Information was given to the police, but on Sunday he saw his old "boy" in a tramcar, followed him, and had him arrested. The "boy" complained that he was told by his master that he was doing his work too quickly, and if he slowed down he would then be told that he was working too slowly. He was never able to give any satisfaction. The "boy" also alleged that his mistress had beaten him on the face with a duster. He left the house because his master told him to get out. When he was told to clear out he told his master that he would bring an action against him for wages, and the master then handed him the bag and blankets. Complainant denied this, stating that the "boy" had never applied for wages. A *lukong* said that when he arrested the defendant the latter said that his master would not give him his wages, so he took the things. Mr. Wood did not believe the "boy's" story, and imposed the sentence stated.

POLICE RESERVE BAND AT NORTH POINT.

A Promenade Concert has been arranged for this evening from 9 to 11 at North Point, under the auspices of the Police Reserve, whose Band will render the following programme of music:—

MARCH.—"The Gladiator's Farewell."
OVERTURE.—"The Silver Cross."
VALSE.—"September."
INTERMEZZO.—"Stepping Stones."
SELECTION.—"To-night's the Night."
VALSE.—"The Fairest in the Land."
SERENADE.—"Sweet Thoughts."
FANTASIA.—"The Honey-moon."
MARCH.—"H.K.P.R."
God Save the King.

COMPANY MEETING.

UNITED ASBESTOS ORIENTAL AGENCY, LTD.

The 21st ordinary annual meeting of the United Asbestos Oriental Agency, Ltd., was held at the offices of Messrs. Dodwell & Co. Ltd. (General Managers) yesterday. The Hon. Mr. S. H. Dodwell presided.

The Secretary (Mr. G. R. Edwards) having read the notice convening the meeting,

The CHAIRMAN said:—Gentlemen, The result of the year's working shows an increase in profit on trading of some \$7,300 as against last year. Including \$1,998.24 brought forward from last year there is \$28,705.25 available for distribution, and I trust you will all approve of the allocation recommended in the report. The year under review has been a good one, due partly to exceptional circumstances. Recently a much larger proportion of local shipping has been withdrawn for national service in other waters and it is consequently difficult to foresee what the prospects for the year 1917/1918 will be. Therefore, following the course adopted by several other of our local companies, your General Managers have recommended that a larger sum than usual be carried forward to next account. The amount due under Sundry Debtors is exceptionally large, but it has all been collected since the books were closed for the year. The stock has been carefully checked by the superintendent and ample allowance made for depreciation. It is unusually small, but this is partly due to the high exchange at which it has necessarily been taken in. It becomes of course increasingly difficult to get early delivery of material from home and from America, but together with purchases on the way your General Managers consider the stock is sufficient for the purposes of the Company's business. You will notice that it is proposed to contribute \$2,000 to War Charities, a suggestion that I am sure will appeal to shareholders. I will, however, propose this contribution separately after the report and accounts have been adopted. I think, gentlemen, there is nothing more for me to say. I beg to propose the adoption of the report and accounts as presented.

Mr. A. DENISON, in seconding, said:—I think the shareholders can be congratulated on getting such a good dividend this year, and I think our thanks are due to the General Managers and the staff on the way in which they have run the Company.

The motion was carried.
On the proposition of the CHAIRMAN, seconded by Mr. MORTON SMITH, it was agreed to make a contribution of \$2,000 to War Charities.

On the proposition of Mr. EDWARDS, seconded by Mr. A. RITCHIE, Mr. Maitland was re-elected auditor at a remuneration of \$200.

This was all the business, and the CHAIRMAN announced that dividend warrants were ready and could be had on application.

HONGKONG TRAMWAY CO., LTD.

The approximate statement of traffic receipts for the week ending 28th July is as follows:—

	Receipts for week	Aggregate receipts for 30 weeks
This Year.....	\$11,680	\$400,156
Last Year.....	17,172	420,137
Decrease.....	5,612	19,981

TYPHOON WARNING.

The following telegram has been received by the American Consulate-General, Hongkong, from the Manila Observatory:—

1 p.m., July 31st.
Warning. Low-pressure area extending from China Sea to east of Balintang and Bashi Channels. A circular depression may be forming in it to the N.W. of Luzon.

HONGKONG PROPERTY SALE

Acting under instructions from the liquidators of Messrs. Jensen & Co., Mr. H. A. Lambert put up for auction yesterday the Peak property known as "Lysholt." This is leasehold property, with an area of 124,032 square feet, and the annual Crown Rent is \$85.

There was not a large company present, but the bidding was always brisk, being chiefly confined to Mr. Henry Humphreys and Mr. Ho Kom Tong. Bidding opened at \$20,000, and, rising by bids of \$1,000 to \$37,000, was knocked down at this figure to Mr. Ho Kom Tong.

THE WAR.

GERMANS ANTICIPATING BRITISH OFFENSIVE.

BRITISH CRUISER TORPEDOED.

BRITISH PREMIER PREDICTS RUSSIA'S RECOVERY

Franco-Belgian Front.

LATEST CABLES.
[THROUGH REUTER'S AGENCY.]

BRITISH FRONT.

AERIAL WARFARE.

LONDON, July 30th.

Field-Marshal Sir Douglas Haig reports:—We raided last night in the neighbourhood of Lombardzyde.

The enemy's artillery was more active in the neighbourhood of Armentieres.

Our aeroplanes bombed an aerodrome, two important railway stations, and an ammunition depot on Saturday night, causing fires and explosions.

Bombing operations were continued yesterday. There was great aerial activity until ten this morning, when a severe thunderstorm prevented further flying. Many English aeroplanes were caught in the storm, and four machines did not return. We brought down four enemy aeroplanes and drove down two. Six of ours are missing, of which four were lost in the storm.

EARLIER CABLES.

SMALL PATROL ENCOUNTERS.

LONDON, July 30th.

Field-Marshal Sir Douglas Haig reports:—There were small patrol encounters near Bullecourt and Acheville.

LATEST CABLES.

FRENCH FRONT.

ARTILLERY ACTIVITY.

PARIS, July 31st.

A communiqué reports:—Reciprocal artillery fire was most lively on the Aisne front, from Epine-de-Chevigny to east of the Calmaria Plateau, in Champagne, at Auberville, and on both banks of the Meuse.

EARLIER CABLES.

ANGLO-FRENCH CAPTURES.

LONDON, July 30th.

Reuter's Correspondent at the French Headquarters, summarising the events on the Western Front since the battle of the Somme in July, 1916, shows that the Anglo-French have taken 170,000 prisoners, of whom 3,500 are officers. They have captured 948 guns, 730 trench mortars and 2,500 machine guns. They have forced the enemy to abandon a hundred miles of fortified front. The relative superiority of the Anglo-French armies has steadily increased and the recent combats show that the French morale is as high and the fighting spirit as keen as ever.

GERMANS ANTICIPATE A BRITISH OFFENSIVE.

PARIS, July 30th.

A correspondent of *Liberte* in Flanders says that after a brief lull the cannonade again started on Saturday morning most furiously and swelled until ten o'clock in the evening. It was an appalling roar, shaking the ground for thirty miles distant. It was the British batteries which began, and the Germans replied feebly. British aviators all the time extensively bombed German communications and attacked enemy squadrons, the latter often consisting of twenty or thirty machines.

The *Temps* quotes the *Voiesche Zeitung*, which mentions seeing forty British observation balloons and which anticipates that the infantry battle is about to begin.

The *Temps* comments that, if the Germans expect a British offensive they must bitterly regret the loss of the divisions which were shattered in Champagne.

A GREAT FRENCH ATTACK.

LONDON, July 30th.

A German official wireless message states:—Artillery activity has lessened on the Flanders front. The French attacked on the Chemin des Dames with at least three fresh divisions, on a nine-kilometre front, but failed. Attacks south of Ailles failed. Ten aeroplanes were brought down.

Aerial Activities.

LATEST CABLES.

[THROUGH REUTER'S AGENCY.]

ZEPPELIN OVER THE BALTIC.

LONDON, July 31st.

A wireless Russian official report states:—

A Zeppelin dropped twenty large bombs on Oeland Island, in the Baltic.

Enemy hydroplanes dropped bombs without success on the islands Tserel and Arnsburg in the Gulf of Riga.

EARLIER CABLES.

NAVAL AIR RAIDS.

LONDON, July 30th.

The Admiralty announces that Naval airmen on Saturday night dropped several tons of bombs on Bruges, Thourout, Middlekerke and Ghiselles, with good results. There were numerous explosions.

All our machines returned.

Naval Activities.

EARLIER CABLES.

[THROUGH REUTER'S AGENCY.]

BRITISH WARSHIP TORPEDOED.

LONDON, July 30th.

The Admiralty announces that H.M.S. *Ariadne* has been torpedoed and sunk.

Thirty-eight men were killed by the explosion.

[The *Ariadne* was a cruiser of the *Diadem* class, 11,000 tons, built in 1900. Her complement was given as 680.]

Russian front.

LATEST CABLES.

[THROUGH REUTER'S AGENCY.]

RUSSIAN FRONT.

PERSISTENT ENEMY ATTACKS.

LONDON, July 31st.

A wireless Russian official report states:—Southward of Husiatin we repulsed an attempt to cross the Bruetz River.

We repulsed the enemy after a stubborn battle near Zalismick.

The enemy is persistently attacking and has slightly pressed us back in the regions of Zvinicz, Kiselic and Stecova.

The enemy compelled us to retire in the Carpathians to the region of Kameral.

In Moldavia the enemy pressed us back after a day's fighting towards Myiotyza on the Roumanian front.

EARLIER CABLES.

ENEMY CLAIMS FURTHER PROGRESS.

LONDON, July 30th.

A German official wireless message states:—Despite Russian resistance, we gained ground between the Dniester and the Pruth and elsewhere. We took several hundred prisoners north of Focsani.

LATEST CABLES.

TRANSFER OF GERMAN TROOPS.

LONDON, July 31st.

A wireless German official report states:—A considerable portion of our troops are now in Russian territory, after the battle eastward of Bruetz.

EARLIER CABLES.

GRAPHIC DESCRIPTION OF THE RETREAT.

LONDON, July 30th.

The Germans advanced sixty miles in ten days against the Russians. Describing the Russian retreat, the *Times* correspondent at the South-Western Headquarters, wiring on July 26th, says:—When I joined the British armoured cars on July 17th, nothing was known about the rupture at the front with the Eleventh Army. News came on July 23rd, after which we witnessed strange scenes. A man on horseback dashed though Buczacz, from which the enemy was fifty miles distant, shouting "The German cavalry are behind, save yourselves." He was afterwards arrested and proved to be a German spy. Indescribable confusion ensued, a multitude of deserters, with waggons and ambulances, fled to the east, the roadway being littered with impedimenta. We fought our way through the inferno with sticks, fists and revolvers, as the deserters tried to storm the cars, till we headed the rout, when, placing the cars across the road, we dammed the tide of panic. We reached Proskurov fifteen hours later and found the British nurses safe. They had been saved from the horrors, which subsequently occurred at Podhajce, by the British sections, who at Kozowa and Podhajce fought gallantly to cover the Russian retreat, holding up the German advance for twenty hours. Our cars fought a series of rearguard actions on July 23rd and following days between Buczacz and Trembowla. When the correspondent left the cars on July 25th their losses were twelve wounded. Three of the cars were lost owing to the defection of the infantry, and several were abandoned to the swarming deserters. The Eleventh Army is now improving, while the Eighth is retreating in fair order. It was the abandonment of the impregnable positions on the Sereth and the desertion of the three Brigades and Guards defending Tarnopol which imperilled the Eleventh Army. General Korniloff is now executing deserters wholesale.

EARLIER CABLES.

[THROUGH REUTER'S AGENCY.]

GERMANY AND THE ENTENTE WAR AIMS.

THE ALLIES' POLICY.

LONDON, July 31st.

In the House of Commons, Mr. A. Bryce and Mr. Noel Buxton raised the question of the Allies' policy.

Mr. Balfour said:—We stood in a different position to many of our Allies, for we had not entered the war with any selfish purposes. If France asked it, he failed to see how we could refrain from proceeding to assist her until she was restored to her position existing before the attack engineered by Bismarck in 1870.

Mr. Balfour did not think there was much doubt regarding the broad principles and regarding the war aims animating the highest office-holders. Since August, 1914, the application of those broad principles depended largely upon what proceeded in the Allied and enemy countries and the fortunes of war. He asked how could they enter into details and anticipate peace conference work. What we desired in regard to Austria-Hungary was that the nations composing that empire should be allowed to develop along their own lines and carry out their own civilisation. Everyone knew we had entered the war in the early days with very little in our minds besides the necessity of defending Belgium and preventing France from being crushed before our eyes.

EARLIER CABLES.

GERMANY AND THE ENTENTE WAR AIMS.

CHANCELLOR'S BITTERNESS AGAINST BRITAIN.

COPENHAGEN, July 30th.

Dr. Michaelis summoned a party of journalists to Berlin in order to reply to Mr. Lloyd George's speech of July 21st. He declared that it was evident that Britain did not want peace by agreement, but was resolved on Germany's enslavement. Giving instances of the *Entente's* lust for conquest, he asserted that the reports of eye-witnesses and the Secret Sitting of the French Chamber on June 1st and June 2nd showed that M.M. Briand and Ribot were forced to confess that, shortly before the Russian Revolution, France negotiated with the Tsar's Government for an agreement providing for the French annexation of the Saar Basin, as well as Alsace-Lorraine and other vast territorial changes on the left bank of the Rhine, as well as the French annexation of Syria. M. Briand declared that whatever was the opinion of the Russian masses, Russia was bound to carry out her Treaty. M. Ribot refused any revision of the French war aims.

Dr. Michaelis challenged the French Ministers to deny this, and declared that it was all done with Britain's approval.

AMERICA AND THE WAR.

SPEECH BY MR. LANSING.

NEW YORK, July 30th.

Addressing officers of the Reserve Corps, Mr. Lansing asked them to rid their minds of any idea that they were fighting anybody's battle but their own. Would a victorious Germany have withheld her hands from such a rich prize as the United States? Would it have been easier and wiser for the United States to await such an event and fight Germany single-handed than to unite with Germany's

brave enemies now, and end for all time the military menace? He added:—"You are fighting for those things for which your forefathers were willing to die. I am firmly convinced that the independence of no nation is safe until German military despotism is rendered impotent, and there is only one way to do that, namely, by force of arms."

MR. CHURCHILL RE-ELECTED.

The result of the bye-election at Dundee is as follows:—

Mr. Winston Churchill (L.)	7,302
Mr. Serrysour (P.)	2,036
Majority	5,266

"RUSSIA WILL RECOVER."

STATEMENT BY MR. LLOYD GEORGE.

LONDON, July 30th.

Mr. Lloyd George, presenting a gift to the Chairman of the Press Gallery, in the House of Commons, on behalf of the latter's Press colleagues, made a brief but important reference to the war situation.

He said:—I have just returned from Paris, where I had a useful talk with the leading representatives of the French Press. I am glad to be able to state that the spirit of the French is better than I have ever known. This is remarkable, because it is the end of the third year of a war which has meant a great deal more to France than to us, because they have suffered horribly and the enemy is still in their country, and also a sense of discouragement might have been expected from the great collapse of the Russian Armies. But we have received information that Russia will recover, and will become as formidable as ever she was. (Applause.)

BRITISH SHIPPING.

COMPLETE CONTROL NECESSARY.

LONDON, July 30th.

The Ministry of Shipping has issued a detailed statement showing the sacrifices incurred by British shipping in connection with the war.

It shows that fifty per cent. of the tonnage previously engaged in distant trading with foreign countries and the Dominions has been brought home, and that 14,000,000 tons of ocean-going tonnage are serving Great Britain and Ireland at present. 6,500,000 of this tonnage is engaged in war service. A very substantial amount of shipping has been assigned to meet the needs of the Allies in both munitions and food stuffs.

The situation has now reached a stage necessitating the complete control of all shipping in order to ensure the best national employment of every vessel, and to divert to the nation the high profits arising from war conditions.

Except for a few vessels engaged in work vital to the Colonies and vessels chartered by France and Italy, the Government has requisitioned ninety-seven per cent. of British ocean-going tonnage. All liners have been requisitioned and the profits go to the Government and not to ship owners.

Many trades, built up in distant waters by British enterprise, have had to be abandoned to neutral shipping, and the withdrawal of ships has injured many export trades, particularly to India and the Far East, and also to the distant Colonies, one effect of which is that the market value of neutral vessels is double that of British vessels.

After describing the huge reductions in commercial imports and exports the report says:—"We have therefore sacrificed ruthlessly the needs of our industry and commerce for the temporary increase of exports to the Allies. There is no substitute for the loss of our permanent trade."

PACIFIST MEETING BROKEN UP.

BATTLE ROYAL AT SWANSEA.

LONDON, July 29th.

A pacifist meeting organised by the All Wales Soldiers' and Workmen's Delegates at a Swansea Picture Palace was broken up before there was an opportunity of starting it. Discharged soldiers and sailors, leading crowds of civilians, demonstrated outside, and then rushed the hall. A sharp conflict ensued. The pacifists, armed with sticks and brass stair-ropes, were forced back to the staircase, which they stoutly defended. The attackers seized furniture and charged and captured the staircase. They showered missiles on the fleeing pacifists, who surrendered and were cleared out none too gently. The loyalists concluded with a patriotic meeting.

SITUATION IN RUSSIA.

PETROGRAD, July 30th.

M. Kerensky has gone to Military Headquarters to confer with the commanders of the various fronts, and also with General Alexeff, General Russky, General Gourko, and the ex-Minister of War, M. Gutchkoff.

The question as to whether M. Kerensky shall remain Minister of War will then be decided.

Admiral Koltchak, ex-Commander of the Black Sea forces, is mentioned as likely to be appointed Minister of the Navy.

The Cadets are prominent in negotiations for the formation of a Coalition Cabinet.

PROMINENT TROUBLE-MAKERS.

LONDON, July 30th.

The *Bourne Gazette* says that M. Lenin has escaped in disguise to Germany. M. Roshal, the whilom "Lord of Cronstadt," has surrendered.

RE-CONSTITUTING THE GOVERNMENT.

The Cadets insist that the Government shall not be controlled by the Soldiers' and Workmen's Delegates, but they agree to an equal number of Cadet and Socialist Ministers. They refuse to enter a Cabinet including M. Tchernoff as Minister of Agriculture, while Socialist Ministers threaten to resign if M. Tchernoff is superseded.

General Korniloff has ordered all officers and men on the South-Western Front to return to their units before August 14th, or they will be tried as traitors.

"WAR TO THE KNIFE."

PARIS, July 30th.

A message from Petrograd states that the Cadets' condition for co-operation with the Government is that the war must be fought to a finish in agreement with the Allies; all agreements with the Allies must be adhered to; there must be war to the knife against anarchy and a Constituent Assembly must settle all social reforms.

The *Bourne Gazette* says that the Government has refused the demand for M. Tchernoff's resignation, consequently negotiations have been broken off.

The Government is reported to be negotiating for the inclusion of the leaders of Commerce and Industry. The latter object to outside interference with the Government and demand that the Government shall undertake social reforms prior to the convocation of a Constituent Assembly, and insist that the foreign policy shall coincide with that of the Allies.

GERMAN REVOLUTIONARY PLOT IN ROUMANIA.

FIFTY GERMANS SHOT.

LONDON, July 29th.

Reuter authoritatively learns that Germany has made a really big effort to secure a Revolution in Roumania. The methods adopted were somewhat similar to those followed in Russia, including an immense propaganda among the Army, which was urged to follow Russia's example.

All the attempts were unavailing. Moreover, during last week no fewer than fifty Germans in Russian uniforms, were arrested, tried and shot by the Roumanian authorities.

DERBY BETTING.

LONDON, July 30th.

The betting for the Derby is as follows:—2 to 1 agst. Gay Crusader, 7 to 2 Diadem, 4 to 1 Danseur, 7 to 1 Dark Legend and 20 to 1 Colleger. Lima Lynch has been scratched.

THE AREA TAKEN ON THE WESTERN FRONT.

Asked by Mr. Page Croft in the House of Commons last month to state what was the total area captured by British troops on the Western front since July 1st, 1916, Mr. Macpherson said:—About 600 square miles has been regained in this period. This figure must be taken as approximate only, as the boundary between the French and British Armies has varied constantly.

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BANGHAI	"ANHUI"	On 5th Aug., D'light.
WEIHAIWEI and TIENTSIN	"KUEICHO"	On 6th Aug., Noon.
SHANGHAI	"SUNNING"	On 7th Aug., 4 P.M.
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